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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/559,654

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EXAMINER

AMADIZ, RODNEY

ART UNIT

PAPER NUMBER

2629

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/559,654	Applicant(s) FURUHATA ET AL.	
	Examiner RODNEY AMADIZ	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/17/10</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 13, 2010 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 5, 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Edgar (U.S. Patent 5,469,275—hereinafter “Edgar”).

As to **Claim 5**, Edgar teaches a display device for processing an input image signal and displaying the processed image signal on a screen (***Fig. 4 and Col. 8, line 35—Col. 9, line 59***), the display device comprising:

an input unit configured to input therein an instruction signal regarding a gamma correction (***Fig. 4, 110 and 130 and Col. 3, line 30—Col. 8, line 31***);

a gamma correcting unit configured to execute said gamma correction when said instruction signal is inputted (***Fig. 4, 110 and 200 and Col. 3, line 30—Col. 8, line 31***);

a memory configured to store a gamma correction characteristic comprising adjustment tones having values from a lowest adjustment tone value to a highest adjustment tone value (**Fig. 4, note memories and Figs. 5-6F for adjustment tones and Col. 3, line 30—Col. 8, line 31**), a tile display pattern in which each value of the adjustment tones of said gamma correction characteristic respectively corresponds to an individual tile of the tile display pattern (**See Fig. 9, note White-Black tile**), and an adjustment value for each of said adjustment tones (**Fig. 9, note numeric values 0-100 for each color**);

a processor configured to control said gamma correcting unit so that said gamma correction is reflected in said input image signal when said instruction signal is inputted (**Fig. 4, 110, 220 and Col. 8, line 35—Col. 9, line 59**); and

a menu display unit configured to display a gamma adjustment menu showing adjustment tone levels of the respective adjustment tones together with the gamma-corrected input image signal on the same screen (**See Fig. 9 and Col. 8, line 35—Col. 9, line 59**).

As to **Claim 6**, Edgar teaches a frame memory (**Fig. 4, 240**) for storing said image signal therein, wherein said processor is further configured to overlap said tile display pattern on said image signal in said frame memory (**See Fig. 9 and Col. 8, line 35—Col. 9, line 59**).

As to **Claim 8**, Edgar teaches that said processor is further configured to display respective adjustment values of said adjustment tones (**See Fig. 9, note numeric values 0-100 for each color**).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edgar.

As to **Claim 7**, Edgar teaches selecting an adjustment point to be adjusted for said gamma correction based on the selected tile display pattern (***See Figs. 5-9***). Edgar fails to teach that said memory includes a plurality of tile display patterns, and said input unit is further configured to select one of said plurality of tile display patterns. The Examiner takes Official Notice that it is old and well-known in the art to provide multiple tile display patterns and to select one of the tile display patterns. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to store multiple tile display patterns and select one of the tile display patterns in the display device taught by Edgar, in order to allow the user to utilize customized tile display patterns thereby saving time.

6. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edgar in view of Sachs (U.S. Patent 5,483,259—hereinafter "Sachs").

As to **Claim 1**, Edgar teaches a display device (***Fig. 4***) comprising:
gamma correcting means for executing a gamma correction with respect to an input video signal (***See Figs. 4-6F***);

gamma adjusting means for displaying (1) an adjustment pattern signal comprising a gamma pattern (**Fig. 9, note the 5 gamma patterns for each color**) and (2) a gamma correction value (**Fig. 9, note numeric values 0-100 for each color**) wherein the gamma pattern is a tile display pattern of a gray scale corresponding to a gamma adjustment point (**See Fig. 9, note White-Black tile**); and

display means for extracting a specific still image from said input video signal (**Col. 9, lines 43-59**) and displaying said still image gamma-corrected by said gamma correcting means (**Col. 9, lines 43-59**); wherein said adjustment pattern signal, said gamma correction value and said gamma-corrected still image are displayed on the same screen (**Fig. 9 and Col. 9, lines 43-59**).

Edgar teaches that the gamma pattern is fixed and not adjustable. Edgar fails to teach displaying an adjusted state of the gamma-corrected pattern for gamma adjustment. Examiner cites Sachs to teach displaying an adjusted state of a gamma-corrected pattern for gamma adjustment (**Fig. 4a-4d, 410-418 and Col. 6, lines 18-59**). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to replace the fixed gamma pattern taught by Edgar with an adjustable gamma pattern signal as taught by Sachs in order to visually alter the perceived brightness of each of the gray patches when the user adjusts any one of the gray patches (**Sachs, Col. 6, lines 18-59**).

As to **Claim 2**, Edgar, as modified by Sachs, teaches that said gamma correcting means is arranged to execute at least one of a gamma adjustment and a white balance adjustment according to an input intensity level of said video signal and to have storage

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means for storing data based on an adjustment amount with respect to the at least one of the gamma adjustment and the white balance adjustment (**See Fig. 7 and Col. 3, line 30—Col. 6, line 50 and Col. 8, line 35—Col. 9, line 10**).

As to **Claim 3**, Edgar, as modified by Sachs, teaches that said gamma adjusting means is arranged to select one of prepared plural gamma characteristics and to adjust a correction value on the basis of said selected gamma characteristic (**Figs. 5 and 9, note RED, GREEN, BLUE and Col. 4, lines 9--Col. 9, line 59**).

As to **Claim 4**, Edgar, as modified by Sachs, teaches that the adjustment pattern signal is displayed (**Sachs, Fig. 4a-4d, 410-418**). Edgar, as modified by Sachs, however, fails to teach that said adjustment pattern signal is selected from a plurality of adjustment pattern signals. The Examiner takes Official Notice that it is old and well-known to select an adjustment pattern signal from a plurality of adjustment pattern signals. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to store a plurality of adjustment pattern signals and to select one of the plurality of adjustment pattern signals in the display device taught by Edgar, as modified by Sachs, in order to allow the user to utilize customized adjustment pattern signals, thereby saving time.

Response to Arguments

7. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RODNEY AMADIZ whose telephone number is (571)272-7762. The examiner can normally be reached on M-F 9:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. A./
Examiner, Art Unit 2629
05/16/11

/Sumati Lefkowitz/
Supervisory Patent Examiner, Art Unit 2629